



# WASHOE COUNTY

"Dedicated To Excellence in Public Service"

www.washoecounty.us

CM/ACM X/A  
Finance BN  
DA Y  
Risk Mgt. DC  
HR N/A  
Comptroller CA

## STAFF REPORT

BOARD MEETING DATE: February 9, 2016

**DATE:** January 13, 2016  
**TO:** Board of County Commissioners  
**FROM:** Vahid Behmaram, Water Management Planner Coordinator, Community Services Department, 954-4647, [vbehmaram@washoecounty.us](mailto:vbehmaram@washoecounty.us)  
**THROUGH:** Dwayne Smith, P.E., Division Director, Engineering & Capital Projects, Community Services Department, 328-2043, [desmith@washoecounty.us](mailto:desmith@washoecounty.us)  
**SUBJECT:** Approve a Water Rights Deed between Washoe County and the Truckee Meadows Water Authority (TMWA) transferring 43.97 acre feet of permitted Truckee River water rights to TMWA in support of the Golden Valley Artificial Recharge Program. (Commission District 5.)

### SUMMARY

The subject Water Rights Deed between Washoe County as Grantor and the Truckee Meadows Water Authority (TMWA) as Grantee is in support of the Golden Valley Artificial Recharge Program. This Water Rights Deed and conveyance is in accordance with the terms of the Agreement to Provide Water Service under the Firm Standby Partial Requirements Rate Schedule for the Golden Valley Artificial Recharge Program between Washoe County and the TMWA (Agreement) approved and executed by the Board of County Commissioners on December 8, 2015 and approved by the TMWA Board of Directors on December 16, 2015.

### GOLDEN VALLEY RECHARGE PROGRAM - WATER RESOURCE INVENTORY

Permit Number	Type	Date Acquired	Duty
64049	Surface - Truckee River	January 10, 2012	2.615
72368	Surface - Truckee River	January 10, 2012	4.225
81698	Surface - Truckee River	July 10, 2012	6.39
81144	Surface - Truckee River	July 10, 2012	22.00
70875	Surface - Truckee River	February 25, 2014	1.85
73718	Surface - Truckee River	February 25, 2014	5.24
73776	Surface - Truckee River	February 25, 2014	1.65
<b>TOTAL</b>			<b>43.97</b>

Washoe County Strategic Objective supported by this item: Stewardship of Our Community.

AGENDA ITEM # 5.C.1.

## **PREVIOUS ACTION**

On December 16, 2015, the TMWA Board of Directors approved the Agreement to Provide Water Service under the Firm Standby Partial Requirements Rate Schedule for the Golden Valley Artificial Recharge Program between Washoe County and TMWA.

On December 8, 2015, the Board approved an Agreement to Provide Water Service under the Firm Standby Partial Requirements Rate Schedule for the Golden Valley Artificial Recharge Program between Washoe County and TMWA.

On November 12, 2014, the Board held the Second reading and adopted ordinance 1548 adopting Washoe County Requirements and Schedule of Rates, Tolls, and Charges for the Golden Valley Artificial Recharge Program; providing for Rates, Payments, Procedures and their Enforcement relating to conditions of service; exemptions; appeal procedures; and other matters properly related thereto, with the ordinance to become effective concurrent with the effective date of the Washoe County Water Utility and TMWA merger.

## **BACKGROUND**

The Golden Valley Artificial Recharge Program was first initiated as a test program in the mid-1990s and subsequently developed into a continuously operated artificial groundwater recharge program in 2002 when Washoe County adopted Ordinance 1166. Under the terms of the ordinance (currently Ordinance 1548), approximately 613 Golden Valley property owners who rely on domestic water wells pay \$22.66 per month in support of the Artificial Recharge Program.

The delivery of potable source water used for recharge of the aquifer has been from TMWA, and the water resources required for the Recharge Program have historically been leased from various sources. Since 2003, approximately 70 to 80 ac-ft of potable water is injected into the underlying aquifer at four well sites each year.

Beginning in 2011, and at the request of residents who participate in the Artificial Recharge Program, Washoe County began the purchase of suitable water resources with the plan to purchase the required water resources and cease leasing water resources from others. A total of 43.97 ac-ft of Truckee River water resources have been purchased using Artificial Recharge Program funds.

With the recent regional drought conditions and subsequent examination of existing water services, it was discovered that the water service was an interruptible service and therefore could have been turned off by TMWA under certain conditions, such as low water flows in the Truckee River.

With this understanding, Washoe County and TMWA entered into that Agreement dated December 8, 2015, to convert the water service to a non-interruptible service. It was determined that 80 ac-ft of water represents the upper limit of water volume that can be successfully injected into the aquifer and maintain a reasonable groundwater surface elevation for the benefit of the majority of the Artificial Recharge Program users.



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The attached Deed and transfer of water rights will convey to TMWA the 43.97 of permitted Truckee River water rights in accordance with the terms of said Agreement.

**FISCAL IMPACT**

There is no fiscal impact associated with this Water Rights Deed.

**RECOMMENDATION**

It is recommended that the Board of County Commissioners approve a Water Rights Deed between Washoe County and the Truckee Meadows Water Authority (TMWA) transferring 43.97 acre feet of permitted Truckee River water rights to TMWA in support of the Golden Valley Artificial Recharge Program.

**POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be: "Move to approve a Water Rights Deed between Washoe County and the Truckee Meadows Water Authority (TMWA) transferring 43.97 acre feet of permitted Truckee River water rights to TMWA in support of the Golden Valley Artificial Recharge Program."

No APN

When recorded, return to:  
Truckee Meadows Water Authority

### WATER RIGHTS DEED

**WASHOE COUNTY**, a political subdivision of the State of Nevada, as GRANTOR, hereby conveys to **Truckee Meadows Water Authority (TMWA)**, as GRANTEE, the real property consisting of water rights described as follows:

#### GOLDEN VALLEY RECHARGE PROGRAM - WATER RESOURCE INVENTORY

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**GRANTOR:**  
**WASHOE COUNTY**  
A political subdivision of the  
State of Nevada

**GRANTEE:**  
**Truckee Meadows Water Authority**

By: \_\_\_\_\_  
Kitty K. Jung, Chair  
Board of County Commissioners

By: \_\_\_\_\_  
John A. Erwin,  
Director, Natural Resources Planning  
& Management

Date: \_\_\_\_\_

Date: \_\_\_\_\_

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**GRANTOR:**  
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A political subdivision of the  
State of Nevada

**GRANTEE:**  
**Truckee Meadows Water Authority**

By: \_\_\_\_\_  
Kitty K. Jung, Chair  
Board of County Commissioners

By: \_\_\_\_\_  
John A. Erwin,  
Director, Natural Resources Planning  
& Management

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

By: \_\_\_\_\_  
Nancy Parent, County Clerk

STATE OF NEVADA        )  
  ) ss.  
COUNTY OF WASHOE    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, a Notary Public, personally appeared **Kitty K. Jung**, personally known to me to be the **Chair of the Washoe County Board of Commissioners**, who acknowledged to me that she executed the foregoing document.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

STATE OF NEVADA        )  
  ) ss.  
COUNTY OF WASHOE    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, this Water Rights Deed was acknowledged before me, a Notary Public, by **John A. Erwin**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the above instrument, who acknowledged to me that he executed the instrument.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

Attest:

By: \_\_\_\_\_  
Nancy Parent, County Clerk

STATE OF NEVADA        )  
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